

REMARKS

The objections to Claims 13, 15 and 19 have been addressed. Likewise, the rejection of Claims 13-29 under 35 U.S.C. §112, second paragraph, is now deemed moot in light of the foregoing amendments to Claims 13 and 23.

However, the rejection with regard to Claim 22 is not understood, and therefore respectfully traversed. Applicants submit that the objected-to term is itself the antecedent basis given the manner in which the claim is currently phrased. Reconsideration and/or further explanation are therefore requested.

The rejections of Claims 13, 15, 21, 23, 25 and 29 as being anticipated by Andersson et al under 35 U.S.C. §102(b), of Claims 13 and 22 as being anticipated by Fourrey under 35 U.S.C. §102(b), of Claims 19 and 27 as being unpatentable over Andersson in view of Suzuki et al under 35 U.S.C. §103(a), of Claim 24 as being unpatentable over Andersson in view of Buss et al under 35 U.S.C. §103(a), of Claims 26 and 28 as being unpatentable over Fenton under 35 U.S.C. §103(a), of Claims 13, 14, 18 and 20 as being unpatentable over Fenton in view of Gregory et al under 35 U.S.C. §103(a), and of Claims 16 and 17 as being unpatentable over Fenton in view of Gregory et al and Hartwich et al under 35 U.S.C. §103(a), are respectfully traversed. Reconsideration of each rejection is requested in view of the foregoing amendments and following comments.

Claims 13 and 23 now incorporate the features of their respective dependent Claims 14 and 24, the latter now being canceled. That is, the current

claims require a seat or components thereof, the presence of a flow-impermeable layer in a cushion core usable both in actively and passively ventilated seats.

Applicants note that the Office does not appear to assert that either the Andersson et al patent or the Fourrey patent teaches or suggests the subject matter of the now amended independent claims. The same can be said with regard to the Suzuki et al patent and Hartwich et al publication.

As regards the Fenton patent, there also does not appear to be any contention by the Office that this prior art fails to teach ventilation ducts running inside the seat surface. Like Fenton, the Gregory et al patent does not disclose the use of a flow-impermeable layer that can be pierced or removed for passive use. Nor does paragraph [0016] in the Buss et al published application even suggest that a flow-impermeable layer be provided that allows for active ventilation as well as passive ventilation by being pierceable or removable. That paragraph merely refers to the permeable ventilation layer 42 shown in Fig. 2. Nothing in the Buss et al document or any of the other prior art allows for simplified manufacture of actively and passively ventilated seats and a consequent reduction in the number of components required in the production of such seats as can be achieved via the claimed invention herein.

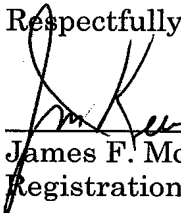
Accordingly, early and favorable action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.57634US).

Respectfully submitted,

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